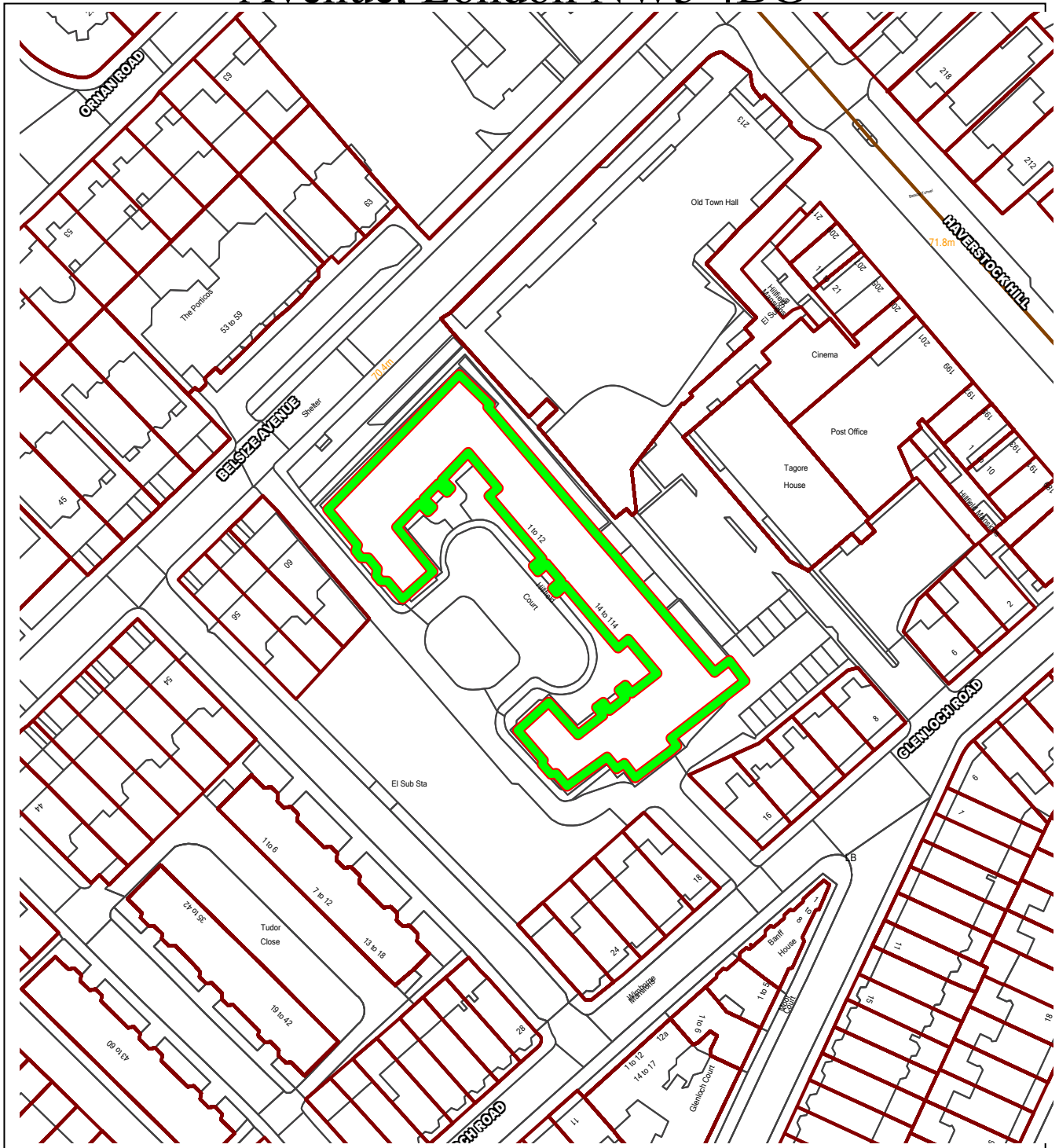


# 2022/2738/P 62 Hillfield Court, Belsize Avenue, London NW3 4BG



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Image 1. Showing the site



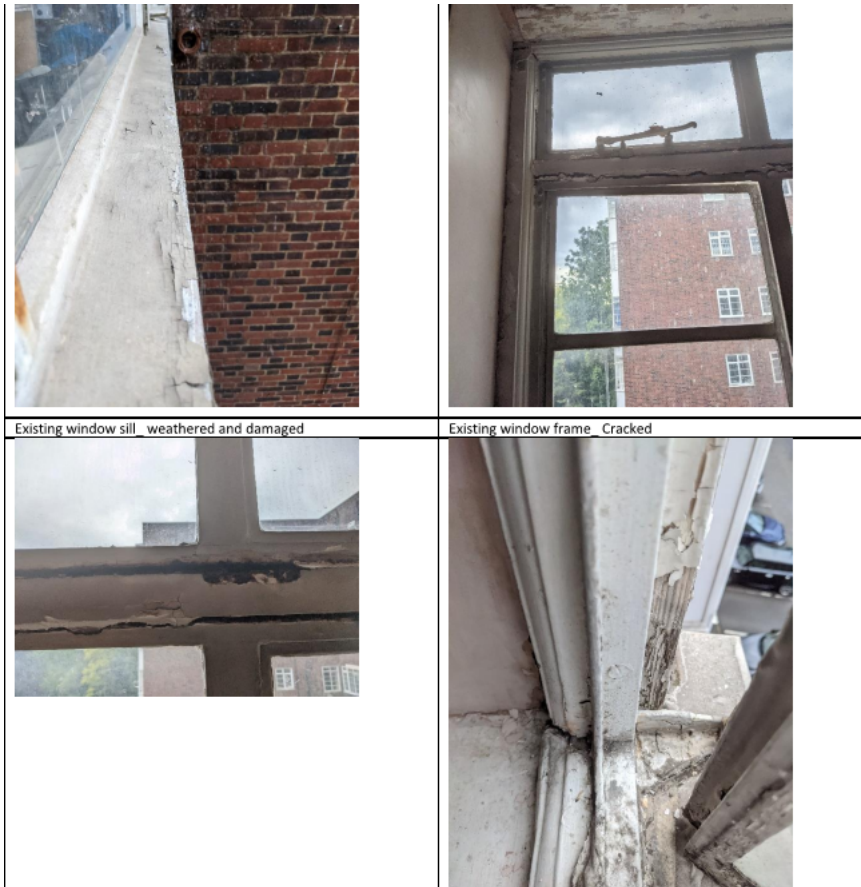


Image 2. Showing the state of disrepair of the existing windows



Image 3. Showing the windows to the front elevation



Image 4. Showing the windows to the rear elevation

<b>Delegated Report</b> (Members Briefing)		<b>Analysis sheet</b>		<b>Expiry Date:</b>	27/06/2022
		N/A		<b>Consultation Expiry Date:</b>	22/08/2022
<b>Officer</b>			<b>Application Number(s)</b>		
Obote Hope			2022/2738/P		
<b>Application Address</b>			<b>Drawing Numbers</b>		
Flat 62 Hillfield Court Belsize Avenue London NW3 4BJ			See Draft Decision Notice		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Replacement of windows from single glazing metal framed windows to Aluminium double glazing windows to the front and rear elevation at 4th floor level.					
<b>Recommendation(s):</b>		Grant conditional planning permission			
<b>Application Type:</b>		Full planning application			

<b>Conditions or Reasons for Refusal:</b>	<b>Refer to Draft Decision Notice</b>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Adjoining Occupiers:</b>	No. of responses	<b>0</b>	No. of objections	<b>0</b>
<b>Summary of consultation responses objecting:</b>	Site notice for the application was displayed on 10/08/2022 expiring 04/09/2022 and a press notice published 11/08/2022 expiring 04/09/2022.			
<b>Hampstead Neighbourhood Forum:</b>	<p>The <b>Belsize Conservation Area Advisory Committee</b> objected on the following grounds:</p> <ul style="list-style-type: none"> <li>- Replacement windows should be in metal to match the Original, and;</li> <li>- The glazing bar should be no thicker than for single glazing</li> </ul> <p><i>Officers' Response: The proposal was revised to change UPVC windows and it is now proposed to install aluminium framed windows.</i></p> <p><i>For officer comment please refer to Section 2 in the design section below.</i></p>			

## Site Description

The application site comprises a 6-storey residential mansion block built in the 1930s. It is located between Haverstock Hill, Belsize Avenue and Glenloch Road.

Hillfield Court is not a listed building but sits within the Belsize Conservation Area. The building is not identified as making either a positive or negative contribution to the conservation area (Belsize Conservation Area Statement, adopted November 2002).

## Relevant History

**2022/0281/P** (Flat 34) planning permission for 2022/0281/P for the replacement of the existing windows to the rear and side elevations with aluminium framed windows at 5th floor level. **Granted** on 28/06/2022.

**2021/1395/P** (Flat 24) planning permission for replacement of 7 single glazed Crittall windows with double glazed aluminium frame windows on northeast and southwest elevations at 3rd floor level. **Granted** 18/05/2021.

**2017/4698/P** (Flat 46) planning permission for replacement of existing crittall windows with Upvc windows to the front elevation of flat at ground floor level. **Granted** 04/10/2017.

**2013/2878/P** (Flat 73) planning permission for replacement of two rear single glazed metal bay windows with double glazed metal bay windows to residential flat (Class C3). **Granted** 18/07/2013

**2012/5353/P** (Inner courtyard) planning permission for the replacement of existing single glazed metal windows with double glazed metal windows to 4x existing bays facing inner courtyard elevation of residential mansion block (Class C3). **Granted** 11/12/2012

**2012/1098/P** (Flat 106) Replacement of existing windows and door with Pvc windows and door to the front elevation of a residential flat (Class C3) at fourth floor level. **Refused** on 19/04/2012 (by reason of material and detailing) and subsequently **allowed** on appeal 31/10/2012.

## Relevant policies

### National Planning Policy Framework 2021

### The London Plan 2021

### Camden Local Plan 2017

A1 Managing the impact of development

D1 Design

D2 Heritage

CC1 Climate change mitigation

CC2 Adapting to climate change

### Camden Planning Guidance 2021

Design

Home Improvement

Amenity

### Belsize Conservation Area Statement (adopted November 2002)

## Assessment

### 1. Proposal

1.1. Planning permission is sought for the replacement of the existing 2 x windows to front and 4 x windows to the rear elevations with aluminium framed windows at 4th floor level.

### Revisions

1.2. It should be noted that during the course of the application revisions to the proposed scheme were requested in order to address concerns raised by officers. The revisions made to the proposed scheme are summarised as follows:

- The removal of the proposed UPVC windows that were initially proposed. The revised proposals include aluminium double glazed windows.

### 2. Design and Appearance

2.1 The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 seeks to preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.

2.2 Hillfield Court is a 1930's 6-storey mansion block set around a communal courtyard. The building is not listed or recognised as making a positive contribution to the character and appearance of the conservation area in the conservation area appraisal and management statement. Whilst the overall scale, form, design and layout of the building has remained largely unaltered, a significant number of the original Crittall windows (and doors) to residential flats and communal stairwells have been replaced over time with either uPVC or aluminium frame equivalents. It would appear that a substantial number of these alterations have not been the subject of planning applications; however, they appear to have been in place for some time, and as such, would likely fall outside the scope of enforcement proceedings by virtue of their age.

2.3 Notwithstanding this, a planning application (2012/1098/P) of particular note and relevance to the current proposals was received in 2012 for the replacement of original Crittall windows with uPVC framed equivalents (Flat 106 – see history section above). The application was originally refused by the Council by reason of their material and detailing; however, the decision was subsequently allowed on appeal (Appeal ref. APP/X5210/A/12/2176051). In reaching the decision, the Planning Inspector recognised that a significant amount of windows (and doors) had already been replaced with heavier frames and surrounds, and stated that, "Notwithstanding these detailed differences, the windows and doors which have been replaced very strongly echo; albeit with modern materials, the form, style, design and appearance of the originals".

2.4 Although it is acknowledged that past alterations should not necessarily provide a justification for future change, the appeal decision recognises that modern uPVC and aluminium frame replacement windows had already become a feature of the building by 2012. Over time, Crittall has ceased to be the predominant material for windows frames at the property and has been replaced by a combination of Crittall, uPVC and aluminium materials which now form part of the existing character and appearance of fenestration at the property.

2.5 Therefore, the proposed replacement of aluminium frame windows is considered to have already been established by the above appeal decision (and any subsequent similar decisions) and is therefore acceptable in principal. It is also noted that the proposed use of aluminium is considered preferable to uPVC on both design and sustainability grounds.



2.6 It should also be noted that, when considering the proposed change to uPVC frames in the above appeal and the impact on the conservation area, the Inspector stated that, "in this particular instance, the use of modern materials of a heavier profile and detailing than the originals would be appropriate and would not harm the contribution which Hillfield Court makes to the significance of the conservation area."

2.7 Notwithstanding the above, the proposed aluminium frame windows would have similar appearance than the type of thicker uPVC frames approved under appeal and the proposed aluminium framed would be a closer match to any existing metal windows and the suggestion that glazing bar should be no thicker than for single glazing as stated by CAAC is unwarranted in this instance, given the existing context and the previous appeal decision that was allowed at the site.

2.8 Overall, the proposed alterations would closely match other windows of similar material and generally be in keeping with the prevailing design, form and appearance of fenestration at the property. As such, under these particular circumstances, the proposal is considered to preserve the character and appearance of the host building and this part of the Belsize Conservation Area, in accordance with Camden Local Plan Policies D1 (Design), D2 (Heritage), CC1 (Climate change mitigation) and CC2 (Adapting to climate change) and guidance and is considered acceptable.

2.9 The Council supports development to improve the thermal efficiency of existing dwellings in a sustainable way and it is acknowledged that the use of double glazing can be beneficial in this regard, subject to the preservation of the character and appearance of the host building within the conservation area.

2.9. Special regard has been attached to the desirability of preserving or enhancing the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

### **3. Impact on neighbouring amenity**

3.1 The proposed alterations are not considered to cause harm to neighbouring amenity in terms of loss of light, outlook or privacy.

### **4.0 Recommendation**

4.1 Grant conditional planning permission.

### **DISCLAIMER**

**The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 31<sup>st</sup> October 2022, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.**

Application ref: 2022/2738/P  
Contact: Obote Hope  
Tel: 020 7974 2555  
Email: [Obote.Hope@camden.gov.uk](mailto:Obote.Hope@camden.gov.uk)  
Date: 24 October 2022

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

HMJK  
85 Great Portland Street  
First Floor  
London  
W1W 7LT

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Full Planning Permission Granted**

Address:  
**62 Hillfield Court**  
**Belsize Avenue**  
**London**  
**NW3 4BG**

# DECISION

Proposal:

Replacement of windows from single glazing metal framed windows to Aluminium double glazing windows to the front and rear elevation at 4th floor level.

Drawing Nos: A301 REV1; A300 REV01; A320 REV01; A321 REV01; A901 REV01 and Design and Access Statement commissioned by HMJK dated 26.09.2022.

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans A301 REV1; A300 REV01; A320 REV01; A321 REV01;

A901 REV01 and Design and Access Statement commissioned by HMJK dated 26.09.2022.

Reason:

For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 2 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at [www.camden.gov.uk](http://www.camden.gov.uk)) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2021.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

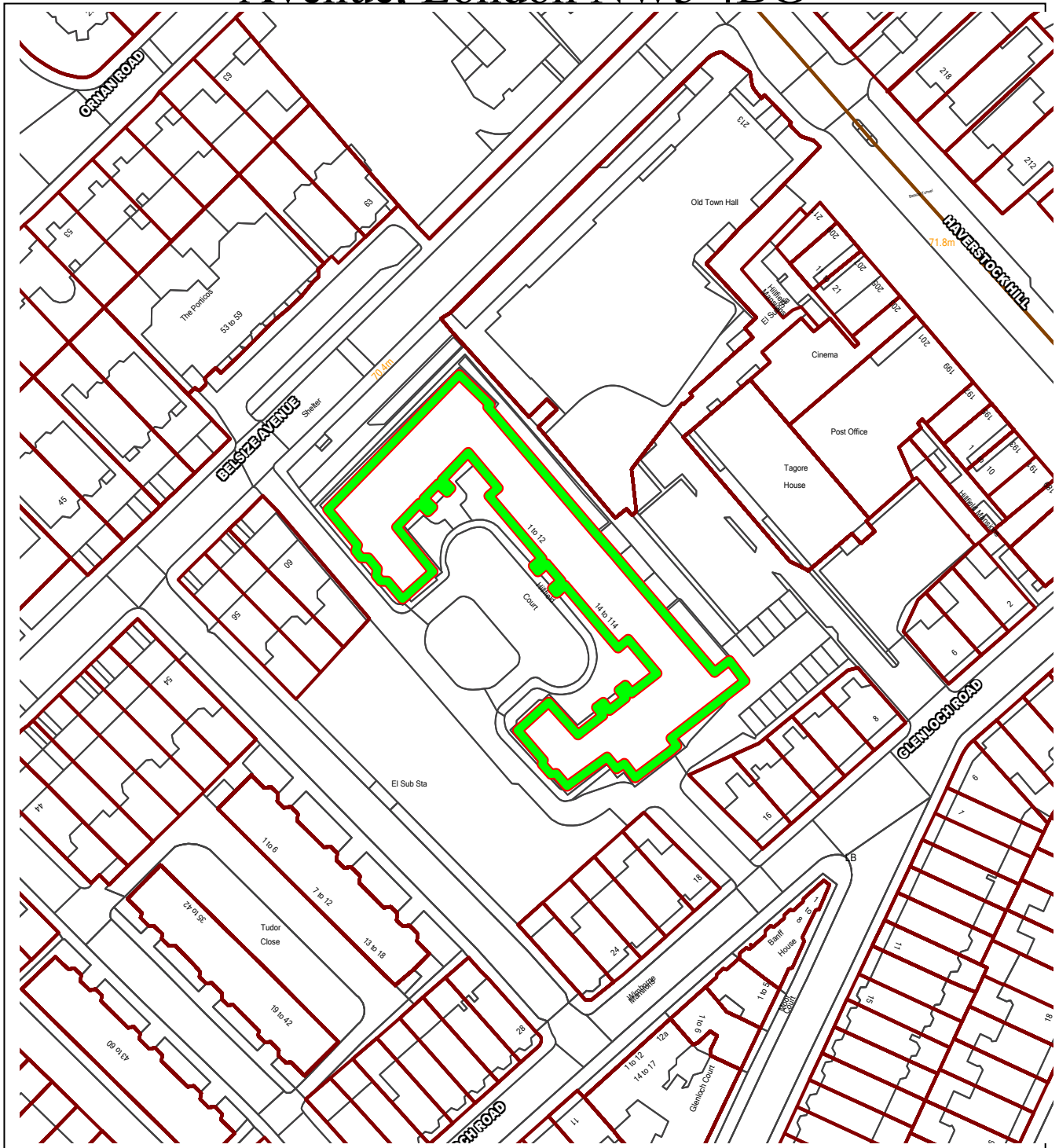
Chief Planning Officer

**DRAFT**

**DECISION**



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